

LAW OFFICES OF THOMAS MORE HOLLAND
BY: **THOMAS MORE HOLLAND**
IDENTIFICATION NO.: 43517
1522 LOCUST STREET
GRACE HALL
PHILADELPHIA, PA 19102

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH MARINO	§	
Plaintiff,	§	
v.	§	
	§	
KENT LINE INTERNATIONAL	§	
d/b/a VOYAGEUR SHIPPING LTD., et al.	§	CIVIL ACTION NO: 02-CV-4489
Defendants.	§	
	§	
	§	
	§	
	§	

**PLAINTIFF'S SUPPLEMENT ARGUMENT IN OPPOSITION TO DEFENDANT'S
KENT LINE MOTION FOR SUMMARY JUDGMENT**

Plaintiff neglected to specifically argue concerning the inference raised by Crouse 5, Exhibit E, a letter from Captain Biggs (who was not presented for deposition testimony despite the Court's order). Crouse 5 is a letter of protest from Captain Biggs. This letter of protest was filed only after a discharge of cargo in Gloucester City but before the next delivery in Fairless Hill Pennsylvania.

Plaintiff incorporates his previous argument which included the factual inference to be drawn, whether the crew of Movant intentionally withheld the knowledge of the latent, less than obvious dangerous condition, by not filing a letter of protest following the storm that occurred at sea from June 9th-June 12th but before

docking at Gloucester City. This creates a genuine issue of material fact as to Movant's liability.

Respectfully Submitted,

THOMAS MORE HOLLAND

DATED: August 15, 2003

PROOF OF SERVICE

I, Thomas More Holland, Esquire, hereby certify that a true and correct electronic copy of the foregoing Plaintiff's Supplemental Argument in Opposition to Defendant's Kent Line Motion for Summary Judgment to the Court and:

Ann-Michele G. Higgins, Esquire
Rawle & Henderson LLP
The Widener Building
One South Penn Square
Philadelphia, PA 19107

A. Robert Degen, Esquire
Fox Rothschild O'Brien & Frankel
2000 Market Street - 10th floor
Philadelphia, PA 19103

Faustino Mattioni, Esquire
Mattioni, Ltd.
399 Market Street
2d Floor
Philadelphia, PA 19106

and to the pro se Defendants by regular mail:

Mr. Joseph Levy
Trans Ocean Maritime Services Inc.
P.O. Box 560
Gloucester City, NJ 08030-0560

Ms. Maureen Levy
Trans Ocean Maritime Services Inc.
P.O. Box 560
Gloucester City, NJ 08030-0560

August 14, 2003
Date

THOMAS MORE HOLLAND
Attorney for Plaintiff

